

AMENDED IN ASSEMBLY APRIL 13, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 648

Introduced by Assembly Member Strickland
(Coauthors: Assembly Members Campbell, Cox, and
McClintock)

February 23, 1999

An act to amend ~~Section 1812.53~~ *Sections 1812.53 and 1812.54* of the Civil Code, relating to dance studio lessons.

LEGISLATIVE COUNSEL'S DIGEST

AB 648, as amended, Strickland. Dance studio lessons.

Existing law provides that a contract for dance studio lessons and other services, as specified, may not exceed a total sum of \$3,750, *and prohibits payments or financing by the buyer that exceed a period of 2 years. Existing law also requires such a contract to provide for performance of the contract to begin within 12 months from the date the contract is entered into, and that the contract may be canceled within 180 days, as specified.*

This bill would revise these provisions by providing that a contract for dance studio lessons and other services, as specified, may not exceed a total sum of \$6,600. *It also would require such a contract to provide that performance of the contract will begin within 6 months, and that the contract may be cancelled within 90 days, and that the period of payments or financing by the buyer may not exceed one year.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1812.53 of the Civil Code is
2 amended to read:

3 1812.53. (a) No contract for dance studio lessons and
4 other services shall require payment by the person
5 receiving the lessons and other services or the use of the
6 facilities of a total amount in excess of six thousand six
7 hundred dollars (\$6,600).

8 (b) No contract for dance studio lessons and other
9 services shall require payments or financing by the buyer
10 over a period in excess of ~~two years~~ *one year* from the date
11 the contract is entered into, nor shall the term of any
12 contract be measured by the life of the buyer. However,
13 the lessons and other services to be rendered to the buyer
14 under the contract may extend over a period not to
15 exceed seven years from the date the contract is entered
16 into.

17 (c) All contracts for dance studio lessons and other
18 services that may be in effect between the same seller and
19 the same buyer, the terms of which overlap for any
20 period, shall be considered as one contract for the
21 purposes of this title.

22 SEC. 2. Section 1812.54 of the Civil Code is amended
23 to read:

24 1812.54. (a) Every contract for dance studio lessons
25 and other services shall provide that performance of the
26 agreed-upon lessons will begin within ~~12~~ *six* months from
27 the date the contract is entered into.

28 (b) Every contract for dance studio lessons and other
29 services shall further provide all of the following:

30 (1) That the contract may be canceled within ~~180~~ *90*
31 days after the date of receipt by the customer of a copy
32 of the contract by written notice to the other party at the
33 address specified in the contract, and all moneys paid
34 pursuant to the contract shall be refunded within 10 days
35 of receipt of the notice of cancellation, except that

1 payment shall be made for any dance studio lessons and
2 other services received prior to the cancellation.

3 (2) That the contract may be canceled after ~~180~~ 90
4 days after the date of receipt by the customer of a copy
5 of the contract by written notice to the other party at the
6 address specified in the contract, and the student
7 canceling the contract shall be thereafter entitled to a
8 refund, within 10 days of receipt by the dance studio of
9 notice of cancellation, of all moneys paid pursuant to the
10 canceled contract with the exception that the dance
11 studio shall be entitled to 10 percent of the unpaid
12 balance pursuant to the terms of the canceled contract,
13 and except further that, in addition to the foregoing,
14 payment shall be made for any dance studio lessons and
15 other services received prior to the cancellation.

16 (c) Every contract for dance studio lessons and other
17 services shall contain a written statement of the hourly
18 rate charged for each type of lesson for which the student
19 has contracted. If the contract includes dance studio
20 lessons that are sold at different per-hour rates, the
21 contract shall contain separate hourly rates for each
22 different type of lesson sold. All other services for which
23 the student has contracted that are not capable of a
24 per-hour charge shall be set forth in writing in specific
25 terms. The statement shall be contained in the dance
26 studio contract before the contract is signed by the buyer.

27 (d) Every dance studio subject to Sections 1812.64 to
28 1812.66, inclusive, shall include in every contract for
29 dance studio lessons or other services a statement that the
30 studio is bonded and that information concerning the
31 bond may be obtained by writing to the office of the
32 Secretary of State. If the studio has elected to make a cash
33 deposit in lieu of procuring a bond, the contract shall
34 contain a description of the cash deposit.